

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

In Re: Methyl Tertiary Butyl Ether ("MTBE")
Products Liability Litigation

Master File No. 1:00-1898
MDL 1358 (SAS)
M21-88

This Document Relates To:

City of Fresno v. Chevron U.S.A. Inc., et al.,
No. 04 Civ. 4973 (SAS)

SHIRA A. SCHEINDLIN, U.S.D.J.:

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[PROPOSED] STIPULATION AND CASE MANAGEMENT ORDER

The parties to this matter jointly request a brief extension of the time to complete expert depositions in the above matter. At the November 21, 2011 Status Conference the Case Management Order #63 deadlines for expert discovery in this matter were adjusted to permit the parties to address newly identified gasoline stations in the City of Fresno. The adjusted deadline for the completion of expert discovery in this matter was set for May 4, 2012.

The parties complied with the adjusted deadlines for submission of expert reports, and have engaged in diligent efforts to complete expert depositions before the May 4, 2012 deadline. Numerous expert depositions have been taken. Further, after the status conference on March 30, 2012, in which the Court gave guidance on non-case specific experts in response to the City's motion, the parties agreed on the remaining depositions that would be taken. Despite the parties' diligent efforts, the parties have been unable to complete all outstanding expert depositions by the current deadline. Presently, with one exception, the parties have reached agreement on the scheduling of the remaining expert depositions which would allow the parties to complete expert discovery by June 15,

2012. The following schedule would therefore be in place:

<i>Witness</i>	<i>Date</i>	<i>Location</i>
Richard Haberman	May 9	8:00-2:00 Sheppard Mullin, Orange County
	May 11	Fresno, after <i>Merced</i> hearing, if the deposition not concluded on May 9, 2012
Brian Brady	May 17	Sheppard Mullin, Los Angeles
John Wilson	May 18	Sheppard Mullin, Los Angeles
Kenneth Rudo	June 1	Sheppard Mullin, Los Angeles
Sam Williams	June 4-7	Sheppard Mullin, Los Angeles
David Norman	June 14	Fresno
Graham Fogg	June 15	Miller, Axline & Sawyer, Sacramento
Douglas McGregor	July 21 or July 28	TBD

The parties represent that a brief extension of the deadline to complete expert depositions as set forth above will not impact the progress of this case as there are no further case management dates or deadlines in this matter.

Per the parties' agreement, and with the Court's approval, the deadline to complete expert depositions in this matter is extended from May 4, 2012 to July 28, 2012, and the depositions shall occur on the dates and locations as indicated above. No further extensions will be granted.

SO STIPULATED:

Tracey L. O'Reilly on behalf of
Plaintiff City of Fresno

Jeremiah J. Anderson

Jeremiah J. Anderson on behalf of
Defendants

b.p. 8-2012

SO ORDERED:

Shira Scheindlin

Shira A. Scheindlin
District Court Judge

Dated: New York, New York

May 8, 2012